

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,	:	Case No. 3:23-mj-455
	:	
Plaintiff,	:	
	:	
vs.	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
JYAHMEER BOGGAN,	:	
	:	
Defendant.	:	
	:	

CLARIFICATION ORDER

At the detention hearing conducted on October 31, 2023, the Court denied the Government's Motion for Pretrial Detention (Doc. #3) and ordered that Defendant be released from the custody of the United States. Following this decision, the Government requested that the release order be stayed for four hours so that it could be appealed to the District Judge. The undersigned granted the Government's request and stayed the release order for four hours or pending the filing of the appeal. The release order was ultimately issued later that day. (Doc. #11). The order for the four hour stay was acknowledged by the Government in its October 31, 2023 Motion to Stay Release and to Revoke Magistrate's Bond Order. (Doc. #9, *PageID* #18).

Despite the foregoing, the minute entry for the proceeding incorrectly noted that the Defendant was remanded to the custody of the United States Marshal "pending the outcome of the Appeal to the Magistrate Judge[s] decision." (*See* Minute Entry dated Oct. 31, 2023). The minute entry should have stated that the release order was stayed "pending the *filing* of the Appeal of the Magistrate Judge's decision."

Accordingly, and for the reasons set forth on the record at that hearing, the Court hereby **ORDERS** that the United States Marshal immediately release Defendant, subject to any conditions imposed by the Court.

November 7, 2023

s/Peter B. Silvain, Jr.
Peter B. Silvain, Jr.
United States Magistrate Judge